

June 18, 2019

Clerk, U.S. Bankruptcy Court

Below is an order of the court.



PETER C. McKITTRICK
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF OREGON

In Re:

PETER SZANTO,

Debtor.Bankruptcy Case
No. 16-33185-pcm7

PETER SZANTO,

Plaintiff,

Adv. Proc. No. 16-3114-pcm

v.

ORDER DENYING PLAINTIFF'S NOTICE
OF MOTION AND MOTION TO POSTPONE
TRIAL (Doc. 449)EVYE SZANTO, VICTOR SZANTO, NICOLE
SZANTO, KIMBERLEY SZANTO, MARIETTE
SZANTO, ANTHONY SZANTO, AUSTIN
BELL, JOHN BARLOW, and BARBARA
SZANTO ALEXANDER,Defendants.

Plaintiff Peter Szanto has filed a Notice of Motion and Motion to Postpone Trial (the Motion). Doc. No. 449. The Court has considered the Motion and determines that a hearing is not necessary. LBR 7007-1(d)(1).

On September 13, 2017, the Court entered a Second Amended Scheduling Order (the Scheduling Order). Doc. No. 259. To address

1 Plaintiff's demonstrated pattern and practice of delay in this adversary
2 proceeding, the Scheduling Order provides, in part, that any motion
3 "must be accompanied by a separate affidavit or declaration, supporting
4 factual contentions such as claims of illness An affidavit or
5 declaration shall authenticate and include exhibits or documents
6 supporting the factual contentions to the extent such documents or
7 exhibits exist. Any motion not adequately supported by evidence may be
8 denied without a hearing." Doc. 259. The Court has warned Plaintiff,
9 on multiple occasions, that factual contentions in motions must be
10 supported by authenticated, corroborating exhibits and documents.
11 Plaintiff nevertheless filed the Motion without any independent,
12 corroborating evidence. Accordingly, in the interest of justice and
13 good cause appearing therefor,

14 IT IS HEREBY ORDERED that the Motion is DENIED.

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